

Application No. 10/000,310

a stator coolant passage means provided radially inside of the housing and radially outside of the stator core, the stator coolant passage means having a damping member and a stator coolant tube defining a stator coolant passage for flowing coolant therethrough, the damping member having a part disposed radially outside the stator coolant passage, wherein the coolant tube and the damping member are separate, and wherein the coolant tube is sandwiched between the stator core and the damping member in a radial direction.

REMARKS

Claims 1-6 and 8-14 are pending. By this Amendment, claim 7 is canceled without prejudice or disclaimer, and claims 1, 8 and 9 are amended. The subject matter of allowable claim 7 is incorporated into independent claim 1. Claims 8 and 9 are rewritten in independent form. No new matter is added. The attached Appendix includes a marked-up copy of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

Applicant gratefully appreciates the allowance of claims 13 and 14, as well as the indication of allowable subject matter in claims 7-9. Claims 7 and 8 are allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. Claim 9 is allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph and to include all of the features of the base claim and any intervening claims.

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As stated above, the subject matter of allowable claim 7 is incorporated into independent claim 1, and allowable claim 8 is rewritten in independent form. Claim 9 is amended in reply to the rejection under 35 U.S.C. §112, first paragraph, as no rejection under paragraph two was issued, and is rewritten in independent form to include its base claim.

The Office Action rejects claims 9 and 12 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the invention was filed, had possession of the claimed invention. The rejection is respectfully traversed.

The Office Action alleges that claim 9 discloses that the coolant tube and the damping member are formed separately, and that claim 12 discloses that the damping member and the coolant tube are formed integrally into a single unit that has vibration damping performance and allows the coolant to flow. The Office Action also alleges that these features are not supported in the specification.

Applicant asserts that claim 9 is amended to recite that "the coolant tube and the damping member are separate". Support for the recitation of claim 9 is clearly shown in Fig. 2 wherein the coolant tube 41 is separate from the damping member 5. Similarly, Fig. 6 clearly shows that the damping member 53 and the coolant tube 45 are formed integrally into a single unit that has vibration damping performance and allows the coolant to flow therethrough. Thus, support is found in the specification for the subject matter recited in claims 9 and 12. Accordingly, Applicant respectfully requests the rejection of claims 9 and 12 under 35 U.S.C. §112, first paragraph, be withdrawn.

Claims 1-6 and 10-12 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 4,739,204 to Kitamura et al. (Kitamura) in view of EP 000633647A1 to Fujita et al. (Fujita). The rejection is respectfully traversed.

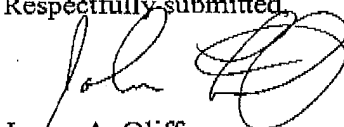
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Applicant asserts that as the subject matter of allowable claim 7 is incorporated into independent claim 1, the subject matter recited in claims 1-6 and 10-12 is not obvious in view of the applied references. Accordingly, Applicant respectfully request the rejection of claims 1-6 and 10-12 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, reconsideration of the application is requested. It is submitted that the claims as presented herein patentably distinguish over the applied references and fully meet the requirements of 35 U.S.C. §112. Accordingly, claims 1-6 and 8-14 is respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, she is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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JAO:JWF/lbg

Attachment:
Appendix

Date: February 20, 2003

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DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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APPENDIX

Changes to Claims:

Claim 7 is canceled.

The following is a marked-up version of the amended claims:

1. (Twice Amended) A rotary electric machine mounted on a vehicle, comprising:

- a stator including a stator core and an armature coil that is wound around the stator core and has a coil end protruding from the stator core in an axial direction;
- a rotor arranged opposite to the stator core;
- a housing supporting the stator and the rotor; and
- a stator coolant passage means provided radially inside of the housing and radially outside of the stator core, the stator coolant passage means having a damping member and a stator coolant tube defining a stator coolant passage for flowing coolant therethrough, the damping member having a part disposed radially outside the stator coolant passage, wherein the damping member is constructed of a pair of plate-like damping members, and at least one of the plate-like damping members has a groove on a surface thereof for defining the stator coolant passage.

8. (Amended) ~~The rotary electric machine as in claim 1,~~ A rotary electric machine mounted on a vehicle, comprising:

- a stator including a stator core and an armature coil that is wound around the stator core and has a coil end protruding from the stator core in an axial direction;
- a rotor arranged opposite to the stator core;
- a housing supporting the stator and the rotor; and
- a stator coolant passage means provided radially inside of the housing and radially outside of the stator core, the stator coolant passage means having a damping

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member and a stator coolant tube defining a stator coolant passage for flowing coolant therethrough, the damping member having a part disposed radially outside the stator coolant passage, wherein the damping member includes a pair of plates, at least one of plates has a groove on a surface thereof for defining the stator coolant passage by being bonded to each other.

9. (Amended) The rotary electric machine according to claim 1 A rotary electric machine mounted on a vehicle, comprising:

a stator including a stator core and an armature coil that is wound around the stator core and has a coil end protruding from the stator core in an axial direction;

a rotor arranged opposite to the stator core;

a housing supporting the stator and the rotor; and

a stator coolant passage means provided radially inside of the housing and radially outside of the stator core, the stator coolant passage means having a damping member and a stator coolant tube defining a stator coolant passage for flowing coolant therethrough, the damping member having a part disposed radially outside the stator coolant passage, wherein the coolant tube and the damping member are formed separately, and wherein the coolant tube is sandwiched between the stator core and the damping member in a radial direction.

PTO RECEIPT FOR FILING OF PAPERS

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► Hand Carry to Examiner Elkassabgi, Group Art Unit: 2834

The following papers have been filed:

Amendment Transmittal w/check #139165 \$168 and Amendment After Final Rejection
under 37 C.F.R. §1.116 w/Appendix

Name of Applicant: Hiroshi ISHIDA

Serial No.: 10/000,310

Atty. File No.: 111364

Title (New Cases): ROTARY ELECTRIC MACHINE HAVING STATOR COOLANT
PASSAGE MEANS

Sender's Initials: JAO:JWF/ldg

184/14

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